

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

Keefe, Bruyette & Woods, Inc.,

Plaintiff,

v.

Philadelphia Stock Exchange, Inc.,

Defendant.

Case No. 08-CV-1163  
(LAP)


**DEFENDANT PHILADELPHIA STOCK EXCHANGE, INC.'S  
MOTION TO ADMIT COUNSEL PRO HAC VICE**

Pursuant to Rule 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, I, Charles L. Rombeau, a member in good standing of the bar of this Court, hereby move for an Order allowing the admission pro hac vice of:

Jonathan T. Schmidt, Esquire  
BALLARD SPAHR ANDREWS & INGERSOLL, LLP  
1735 Market Street, 51st Floor  
Philadelphia, Pennsylvania 19103-7599  
Phone: (215) 864-8324  
Fax: (215) 864-9823

Jonathan T. Schmidt is a member in good standing of the Bar of the Commonwealth of Pennsylvania. There are no pending disciplinary proceedings against Jonathan T. Schmidt in any State or Federal court.

Date: March 17, 2008  
Philadelphia, PA

  
Charles L. Rombeau (CR2186)  
BALLARD SPAHR ANDREWS  
& INGERSOLL, LLP  
1735 Market Street, 51<sup>st</sup> Floor  
Philadelphia, PA 19103  
Phone: (215) 864-8319  
Fax: (215) 864-9807

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U.S. DISTRICT COURT  
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2008 MAR 18 PM 2:30

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

Keefe, Bruyette & Woods, Inc.,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Case No. 08-CV-1163
	:	(LAP)
Philadelphia Stock Exchange, Inc.,	:	
	:	
Defendant.	:	
	:	

**AFFIDAVIT OF CHARLES L. ROMBEAU  
IN SUPPORT OF MOTION TO ADMIT COUNSEL PRO HAC VICE**

COMMONWEALTH OF PENNSYLVANIA	)	
	)	ss:
COUNTY OF PHILADELPHIA	)	

Charles L. Rombeau, being duly sworn, hereby deposes and says as follows:

1. I am an Associate at Ballard Spahr Andrews & Ingersoll, LLP and counsel for Defendant, Philadelphia Stock Exchange, Inc., in the above-captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of Defendant's motion to admit Jonathan T. Schmidt as counsel pro hac vice to represent Defendant in this matter.

2. I am a member in good standing of the bar of the State of New York and the Commonwealth of Pennsylvania, and I was admitted to practice law in New York in May 2005 and in Pennsylvania in May 2007. I am also admitted to the bar of the United States District Court for the Southern District of New York, and I am in good standing with this Court.

3. I have known Jonathan T. Schmidt since November 2006.

4. Jonathan T. Schmidt is an Associate at Ballard Spahr Andrews & Ingersoll, LLP, in Philadelphia, Pennsylvania.

5. I have found Jonathan T. Schmidt to be a skilled attorney and a person of integrity. He is experienced in Federal practice and is familiar with the Federal Rules of Procedure.

6. Accordingly, I am pleased to move the admission of Jonathan T. Schmidt, pro hac vice.

7. I respectfully submit a proposed order granting the admission of Jonathan T. Schmidt, pro hac vice, which is attached hereto as Exhibit A.


WHEREFORE it is respectfully requested that the motion to admit Jonathan T. Schmidt, pro hac vice, to represent Defendant in the above captioned matter, be granted.

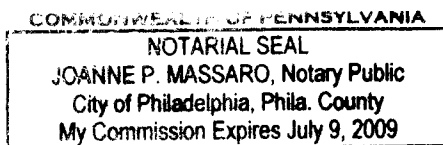
Dated: March 17, 2008  
Philadelphia, Pennsylvania

  
Charles L. Rombeau (CR2186)

Sworn to and subscribed to before

me this 17<sup>th</sup> day of March, 2008

  
Notary Public



IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

Keefe, Bruyette & Woods, Inc.,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Case No. 08-CV-1163
	:	(LAP)
Philadelphia Stock Exchange, Inc.,	:	
	:	
Defendant.	:	
	:	

**ORDER FOR ADMISSION PRO HAC VICE ON WRITTEN MOTION**

Upon the motion of Charles L. Rombeau, attorney for Defendant, Philadelphia Stock Exchange, Inc., and said sponsor attorney's affidavit in support;

**IT IS HEREBY ORDERED** that

Jonathan T. Schmidt, Esquire  
BALLARD SPAHR ANDREWS & INGERSOLL, LLP  
1735 Market Street, 51st Floor  
Philadelphia, Pennsylvania 19103-7599  
Phone: (215) 864-8324  
Fax: (215) 864-9823

is admitted to practice pro hac vice as counsel for Defendant, Philadelphia Stock Exchange, Inc. in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at [nysd.uscourts.gov](http://nysd.uscourts.gov). Counsel shall forward the pro hac vice fee to the Clerk of Court.

Dated: March \_\_, 2008  
New York, New York

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J.

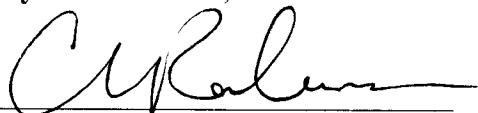
**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY THAT, on this 17th day of March, 2008, a true and correct copy of the foregoing DEFENDANT PHILADELPHIA STOCK EXCHANGE, INC'S MOTION TO ADMIT COUNSEL PRO HAC VICE was served by First-Class Mail, postage pre-paid, upon the following:

Eric R. Levine  
Eiseman, Levine, Lehrhaupt & Kakoyiannis, P.C.  
805 Third Avenue  
10th Floor  
New York, NY 10022  
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**Attorney for Plaintiff, Keefe, Bruyette & Woods, Inc.**

Jonathan Casillo Marquet  
Eiseman, Levine, Lehrhaupt & Kakoyiannis, P.C.  
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New York, NY 10022  
(212)-752-1000  
Fax: (212)-355-4608  
Email: jmarquet@ellklaw.com  
**Attorney for Plaintiff, Keefe, Bruyette & Woods, Inc.**

Dated: March 17, 2008

  
Charles L. Rombeau



Supreme Court of Pennsylvania

**CERTIFICATE OF GOOD STANDING**

***Jonathan Thomas Schmidt, Esq.***

**DATE OF ADMISSION**

***January 22, 2007***

The above named attorney was duly admitted to the bar of the Commonwealth of Pennsylvania, and is now a qualified member in good standing.



**Witness my hand and official seal**

**Dated: March 14, 2008**

A handwritten signature in black ink, consisting of a large, stylized 'J' and 'P'.

John W. Person, Jr., Esq.  
Deputy Prothonotary